

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

REGION 2

700 HEINZ AVE., SUITE 200

BERKELEY, CA 94710-2737

June 3, 1993



REMEDIAL ACTION PLAN APPROVAL RECORD

LIQUID GOLD SITE - RICHMOND
WEST OF BAYVIEW EXIT ON I-580
RICHMOND, CA

This is to certify that the Draft Remedial Action Plan dated March, 1993 and approved on March 15, 1993 has been circulated for public comment, and as modified by the attached Analysis of Public Comments, revised Non Binding Allocation of Responsibility, and transcript of the March 30, 1993 public meeting is deemed appropriate as the Final RAP. The Draft Remedial Action Plan is not materially changed by the modification, and the proposed remedial action is determined to be reasonable and feasible. The undersigned have further determined that the proposed remedial action will not have an adverse effect on the environment. The undersigned hereby approve and adopt the Draft Remedial Action Plan, as modified by the attached Analysis of Public Comments, revised Non Binding Allocation of Responsibility, and transcript of the March 30, 1993 public meeting as the Final Remedial Action Plan.

Handwritten signature of Benjamin Hargrove in black ink.

Benjamin Hargrove
Regional Project Manager

6/8/93

Date

Handwritten signature of Frank Gaunce in black ink.

Frank Gaunce
Regional Unit Chief

06/08/93

Date

Handwritten signature of Barbara Cook in black ink.

Barbara Cook
Regional SMB Branch Chief

6/8/93

Date



REVISED NON BINDING ALLOCATION OF RESPONSIBILITY
PREPARED AS AN ATTACHMENT TO THE LIQUID GOLD SITE,
FINAL REMEDIAL ACTION PLAN APPROVAL RECORD, DATED MAY 25, 1993

Health and Safety Code (HSC) Section 25356.1 (d) requires the Department of Toxic Substances Control (the "Department") to prepare a nonbinding preliminary allocation of responsibility [the "NBAR"] among all identifiable potentially responsible parties (PRPs). HSC Section 25356.3(a) allows PRPs with an aggregate allocation in excess of 50% to convene an arbitration proceeding by submitting to binding arbitration before an arbitration panel. If PRPs with over 50% of the allocation convene arbitration then any other PRP wishing to do so may also submit to binding arbitration.

The sole purpose of the NBAR is to establish which PRPs will have an aggregate allocation in excess of 50% and can therefore convene arbitration if they so choose. The NBAR, which is based on the evidence available to the Department, is not binding on anyone, including PRPs, the Department, or the arbitration panel. If a panel is convened, its proceedings are de novo and do not constitute a review of this provisional allocation. The arbitration panel's allocation will be based on the panel's application of the criteria spelled out in HSC Section 25356.3(b) to the evidence produced at the arbitration hearing. Once arbitration is convened, or waived, the NBAR has no further effect in both the NBAR and the arbitration panel's allocation are admissible in a court of law, pursuant to HSC Section 25356.7, for the sole purpose of showing the good faith of the parties who have discharged the arbitration panel's decision.

The Department sets forth the following nonbinding preliminary allocation of responsibility for the Liquid Gold site: Liquid Gold Oil Corporation ("Liquid Gold"), Bryan Fabian, individually and as Chief Executive Officer of Liquid Gold and Beverly Fabian, individually and as Secretary and Chief Financial Officer of Liquid Gold, are allocated 50% responsibility; San Pablo Oil Company and Lee J. Immel, individually and as the owner and operator of San Pablo Oil are allocated 10% responsibility; Southern Pacific Transportation Company is allocated 40% responsibility.

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

REGION 2
700 HEINZ AVE., SUITE 200
BERKELEY, CA 94710-2737
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June 8, 1993

LIQUID GOLD SITE
Analysis of Public Comments
Received on Draft Remedial Action Plan

I. Introduction

On March 30, 1993, the California Department of Toxic Substances Control (DTSC) and the U.S. Environmental Protection Agency (USEPA) held a public meeting on the Draft Remedial Action Plan (RAP) for the Liquid Gold Site, located in the city of Richmond, Contra Costa County, California. The purpose of the meeting was to provide the public with information regarding the proposed Remedial Action Plan and to solicit public comments on the adequacy of the plan. In addition, comments on the Remedial Action Plan were received by the Department during the public comment period which extended from March 16, 1993 to April 15, 1993.

The verbal and written comments which were received during the public meeting and comment period have been compiled and categorized according to subject area. The purpose of this document is to present a written response by the Department to these comments.

A copy of the transcript of the public meeting and all the written comments received are available for review at:

Department of Toxic Substances Control
700 Heinz Avenue, Suite 200
Berkeley, California 94710

or

Richmond Public Library
Reference Desk
325 Civic Center Plaza
Richmond, California 94804
Phone: 510-620-6561

II. Comments and Responses

Questions asked by individuals at the public meeting solely for the purpose of obtaining clarification of statements made during presentations or in the Draft Remedial Action Plan are not addressed in this analysis since these questions were answered at



the meeting and do not appear to have underlying concerns associated with them. These questions are recorded in the public meeting transcript. The verbal and written comments that were received have been compiled and categorized according to the following subject areas:

- A. Site Security
- B. Physical Hazards
- C. Drainage channel sediment removal and sampling
- D. Deed restriction
- E. Non Binding Allocation of Responsibility (NBAR)
- F. Cap Integrity and Effectiveness
- G. Remedial Action Alternative Chosen
- H. California Environmental Quality Act (CEQA) Negative Declaration

The public comments/questions and the Department's responses are as follows:

A. Site Security

COMMENT: If continued monitoring shows the area is safe, I suggest making the area into a park, possibly a second hub for the dog park at Point Isabel. If a fence is necessary, fence only those areas that are environmentally unsafe so that more open land is available for wildlife.

RESPONSE: The site is owned by Southern Pacific Transportation Company, and the use of the site will be determined by them. The site is zoned for light industrial usage, and a deed restriction will be placed on the property to ensure that uses posing greater health or environmental risk are avoided. Any deviation from the restriction will require approval from all appropriate agencies.

COMMENT: One portion of the fence surrounding the extended activity area, on the east side, consists of a 3-foot high fence consisting of three strands of barbed wire. The rest of the fencing consists of an 8-foot fence. Shouldn't this portion be replaced by eight foot fencing?

RESPONSE: The 3-foot barbed wire fence was installed in lieu of an 8-foot cyclone fence because the area is primarily marsh. Construction of an 8-foot fence would require additional construction to allow for access, and would likely be disruptive to the marsh. The 3-foot fence is considered appropriate to prevent trespassing in this tidally influenced portion of the site. In addition, the risks associated with exposure to chemicals from trespassing on the site were evaluated in the Remedial Investigation and found to be not significant.

COMMENT: Combined remedial alternatives A-3 and B-3 describe the area to fenced (extended activity area) as including all of Lot 4. At present most of Lot 4 is outside of the fenced area, and thus not restricted from the public in any way. Lot 4 has been found to contain surface soil contaminated by lead at a maximum value of 1600 mg/kg and polycyclic aromatic hydrocarbons at a maximum of 15 mg/kg. The surface asphalt covering Lot 4 was observed to be degraded in many areas, such that it does not appear to be acting as an interim cap.

RESPONSE: For risk assessment purposes, study area Lot 4 was created to represent the worst case residential surface soil exposure. This risk assessment study assumes a residential setting on Lot 4 and risks to children and adults living there were calculated. The risk calculated for children and adults in this setting was significant; however, the risk calculated for other exposure scenarios (such as adults in an office building setting, and children trespassing in an undeveloped site) did not show significant potential health risks. Since there are no residences located on the Lot 4 area, the fencing around the area is not justified prior to the placement of the vegetated soil cap. The intent of the planned fencing is to protect the vegetative soil cap, not to protect the public health.

The asphalt covering in the area, even though aged, does not require immediate repair. The asphalt was part of the working surface of the former facility, and was not placed onto the area to function as an interim cap. It should be noted that the existence of the asphalt, even though it is old and cracked, theoretically lowers the potential risk level by hindering access to soil.

B. Physical hazards

Comment: The Remedial Action Plan does not address the presence of several large piles of concrete debris which we observed in the south area of the site. Although this debris is not in the contaminated area, it constitutes a significant physical hazard to children or other trespassers to the site. In addition, the Community Relations Plan, Liquid Gold Site (October 1988) stated that nearby residents "...felt the site was an "eyesore" and that the buildings and debris should be removed."

Response: The referenced buildings and debris were removed in November 1989. Concrete does remain on the site and in adjacent areas, but much of this area appears to contain concrete that may have been brought in as fill material for the site. Southern Pacific Transportation Company, the owner of the property, believes that the extent of the concrete makes it impractical to remove. The piles of concrete may present a physical hazard to trespassers on the site, but do not constitute a hazardous waste or a hazardous substance within the jurisdiction of the Department. Anyone contemplating the removal

of this concrete must carefully evaluate the potential adverse ecological effects to the marsh. The Department has brought this issue to the attention of the City of Richmond through their attorney, Jack Judkins, for further action.

C. Drainage channel sediment removal and sampling, transects 1 and 6

Comment: The Remedial Action Plan calls for post clean up sediment sampling. The RAP noted that the results of the ecology study of benthic organisms in the marsh contained some uncertainties, "...particularly given the absence of wet season data because of the continuing regional drought." (Draft RAP, p.2.5) We understand that no sampling has been done since the ecological investigation of October 1988, and that comparison rainy season sampling was not possible in that year because of the drought. In view of this history, we recommend that post clean up sampling of remaining sediments be carried out carefully and with close review by regulatory agencies. We also note that, although bioassay testing will be conducted, follow up benthos sampling has not been proposed. Follow up benthos sampling over the next ten years may be warranted to monitor biologic uptake that could affect human ingestion pathways.

RESPONSE: DTSC recognizes that wet-season sampling was not performed due to the protracted drought; however, DTSC believes that the studies conducted to date, together with post remediation sampling, will provide adequate data to protect human health and ecological systems. Analysis of crab and pickleweed tissues did not reveal significant bioaccumulation in the 1988 benthos study. DTSC believes the proposed testing will be adequate to evaluate the success of the remediation efforts and does not believe follow up benthos sampling is necessary.

Sediments in transects 1 and 6 will be sampled upon completion of the project to check if the remediation is effective. This sampling will include both chemical and biological testing, and will be checked for adequacy by the Department of Fish and Game (DFG), the U.S. Environmental Protection Agency (USEPA), the Regional Water Quality Control Board (RWQCB), and the National Oceanic and Atmospheric Agency (NOAA).

COMMENT: A San Francisco Bay Conservation and Development Commission (BCDC) permit will be needed for all work proposed within the Commission's jurisdiction. A \$0.10/cy fee will be charged for any dredging that will take place, and the volume of anticipated sediment removal should be stated in the final Negative Declaration.

RESPONSE: Because the Liquid Gold site is a National Priority List (NPL) site, no permit or fees for permits (based on volume of dredged sediments) are required, according to CERCLA

121 (e) (1). However, the Department intends that all substantive requirements contained in the permit will be met. The estimated volume and area of sediments to be excavated is 532 cubic yards and 14,374 square feet, respectively.

D. Deed Restriction

Comment: Fact Sheet #3 is not clear about the deed restriction, stating only that "...residential development could not occur without a review." If development of any kind were to occur, appropriate measures should be taken to ensure that contaminants do not exist at levels which pose human health concerns. We recommend that language be clarified to ensure that any disturbance of the ground cover through excavation of the soil, whether for commercial or residential purposes, be subject to review by DTSC and other appropriate health and regulatory agencies.

RESPONSE: The fact sheet described the deed restriction in terms of residential development for the purpose of illustrating the health risks under that scenario. The exact language of the deed restriction is not contained within the fact sheet verbatim. The actual language in the deed restriction is detailed enough to provide protection to the vegetative soil cap from any disturbance of ground cover for any reason. Any site use deviating from limitations stated in the deed restriction would require all applicable agency approval.

E. Non Binding Allocation of Responsibility

COMMENT: Southern Pacific Transportation Company (SPTCo) believes that the aggregate responsibility allocated to SPTCo and Southern Pacific Land Company (SP Land), 40%, is excessive. SPTCo states that the contamination was caused entirely by the operator of the facility on the site.

RESPONSE: The Department recognizes SPTCo's position that the contamination may have been caused entirely by the operators of the site; nevertheless SPTCo, as the owner of the site, both now and at the time the contamination occurred, is also liable under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Section 107 (a) (1). Accordingly, under the revised NBAR the operators of the site are allocated 60% of the responsibility and SPTCo is allocated 40%.

COMMENT: SPTCo believes that the aggregate responsibility allocated to SPTCo and SP Land, 40%, should be divided 10% to SPTCo and 90% to SP Land. SPTCo alleges that during the time that releases are believed to have happened, SPTCo was the non-operating owner of the property, and that SP Land was charged with the responsibility of inspecting the property and reporting and responding to violations of the lease, thereby focusing responsibility on SP Land and not on SPTCo.

RESPONSE: See response to next comment.

COMMENT: SPLC should be deleted from the NBAR's statement that SPLC and SPTC are allocated 40% responsibility for the following reasons:

1. SPLC is not the current owner or operator of the Site.
2. SPLC was not the owner or operator of the Site at the time of disposal of hazardous substances.
3. SPLC did not arrange for treatment or disposal of hazardous substances at the Site.
4. SPLC did not accept hazardous waste from the Site for transport to a facility.

RESPONSE: The Department evaluated the information provided by responsible parties during the public comment period and finds cause to change the preliminary NBAR as set forth in the Draft RAP. It is the Department's finding that SP Land should be deleted from the final NBAR. The 40% aggregate responsibility allocated to SPTCo and SP Land as stated in the draft NBAR is changed to 40% for SPTCo and 0% for SP Land.

This allocation of responsibility is made because additional evidence provided to the Department shows in the opinion of the Department that SP Land was acting as agent for the owner, SPTCo, and that SP Land was not itself acting as an owner or operator. The revised allocation should not be considered to be a determination of SPTCo's and SPLC's rights and responsibilities to each other, which are issues outside of the Department's jurisdiction.

The Department is required, pursuant to HSC Sections 25356.1 (d) and 25356.3 (c) to make a non-binding preliminary allocation of financial responsibility. An Arbitration Panel is established by HSC 25356.2 -.4 and 25356.6 - .10 to accommodate responsible parties who are unsatisfied with the Department's allocation. If so desired, arbitration must be requested by any potentially responsible parties with aggregate alleged liability in excess of 50%, within 15 days after the issuance of a final RAP.

COMMENT: I understand Liquid Gold is responsible for 50% of the contamination, SP 40% and some one else 10%. Who is allocated the 10%?

RESPONSE: San Pablo Oil Company is allocated 10% of costs in the NBAR.

F. Cap Integrity and Effectiveness

COMMENT: In the Draft RAP, the cap is referred to as an "up to two foot soil cap"; does that mean the cap is two feet or two inches? Shouldn't the cap thickness be stated in minimum terms?

RESPONSE: The soil cap will compliment the grading of the site to ensure that rainfall flows off the site and does not pond, and will serve as a protective barrier to the soil surface. Since the existing surface of the site is irregular, the cap will vary in thickness.

The final RAP will specify a minimum of two feet of clean soil to be placed over the former main activity area and lot 4. Outside the former main activity area, enough fill will be added to facilitate adequate drainage and vegetation uptake. It is anticipated that the fill outside the former main activity area will vary in thickness from 0 to 2 feet.

G. Remedial Action Alternative

COMMENT: Will you be putting onto the site any oil-eating bacteria to help clean up the residual grease and oil by the monitoring wells? Is it feasible?

RESPONSE: The Draft RAP does not specify the use of any oil-eating bacteria for the project. Although this technology does exist and these bacteria do occur naturally, the reduction in risk due to such an application is not significant. The risk assessment for the site showed that after the interim remedial measures were complete, the risk due to oil alone is negligible.

H. California Environmental Quality Act (CEQA) Negative Declaration

COMMENT: The Negative Declaration must show all proposed or existing public access areas on-site, indicate any off-site connections, as well as any public access amenities or improvements on the property.

RESPONSE: The maps contained within the Draft RAP show these items. These maps will be added to the Negative Declaration to show public access areas.

COMMENT: Access to the shoreline should be made near the project, except where public access is clearly inconsistent with the project because of public safety considerations. In addition, a discussion of existing and potential public access should be included in the final Negative Declaration. Included in this public access discussion should be plans and details of any restrictions, signs or fencing related to public access in the project vicinity.

RESPONSE: Point Isabel is directly south of the project, and a publicly accessible trail leading from it follows the shoreline past the site. The site will be fenced to ensure that the vegetative soil cap is not disturbed. Proper warning signs in English and Spanish will be posted on the fencing. A deed

restriction will be placed on the property to prevent any residential development.

COMMENT: BCDC believes that a more detailed biological assessment of the proposed marsh excavation areas should be included as part of the final Negative Declaration. The biological assessment should be developed by a qualified biologist in consultation with the Department of Fish and Game. The biological assessment should also discuss alternative techniques for the removal of the sediment, select the least environmentally damaging alternative, and provide conclusions and recommendations for the proposed action.

RESPONSE: The biological assessment, included in the Remedial Investigation report, and summarized in the Draft RAP in section 4.4, was approved by a qualified biologist in consultation with the Department of Fish and Game. The entire project was coordinated closely with and approved by: DTSC, RWQCB, DFG, EPA, and NOAA.

The alternatives of marsh remediation are described in the RAP, section 7.2.1.3. The alternative chosen, with justifications, is described in section 7.3.2 of the Draft RAP. The exact technique to be used in the excavation of transect sediments is to be laid out in the Remedial Design, with input from all affected regulatory agencies.

COMMENT: The activity of removing the sediments from the transects has the possibility of releasing the toxins in significant amounts that could prove detrimental to the water quality in the area. Sufficient studies are needed on the potential adverse impacts to water quality.

RESPONSE: The potential adverse impacts to water quality are discussed in the RAP, section 7.2.5.3, 7.2.4, 4.2.3, and Table 23. A chronology of the Site Investigation is presented in the RAP, section 3.1.6. The Department believes that these studies are sufficient to assess potential adverse impacts to water quality and that no material risks of toxins release will occur as a result of these actions.

COMMENT: The final Negative Declaration should discuss the short term impacts to water quality from the proposed sediment excavation and the long term impacts from possible leaching of the contaminated groundwater.

RESPONSE: These issues are discussed in section 7.2.5.3 of the Draft RAP. No material short term negative effects are anticipated as a result of the sediment excavation.

COMMENT: Removal of the dredged materials should be carried out by a method that is satisfactory to the Department of Fish and Game (DFG) and the Regional Water Quality Control Board (RWQCB).

RESPONSE: The exact method to be used to perform dredging will be laid out in the Remedial Design, which will be reviewed by Department of Toxic Substances Control (DTSC), Department of Fish and Game (DFG), Environmental Protection Agency (EPA), Regional Water Quality Control Board (RWQCB), the National Oceanic and Atmospheric Agency (NOAA), and the San Francisco Bay Conservation and Development Commission (BCDC) to ensure that the applicable or appropriate rules and regulations are followed.

COMMENT: The project as proposed does not include a mitigation plan to eliminate or reduce to a minimum the unavoidable adverse impacts on the environmentally sensitive marsh habitat as a result of the removal of sedimentation from the marsh channels. The mitigation plan should satisfy the policies of all affected agencies.

RESPONSE: The RAP discusses the impacts to the marsh as a result of the removal of sedimentation from the marsh channels in section 7.2.5.3. Mitigative measures, discussed in the public meeting, include timing the sediment removal action to reduce the impact to the mating cycles of animals living in the marsh. The site Remedial Investigation was done and the RAP was prepared in consultation with Department of Toxic Substances Control (DTSC), Department of Fish and Game (DFG), Environmental Protection Agency (EPA), Regional Water Quality Control Board (RWQCB), and National Oceanic and Atmospheric Agency (NOAA) and satisfies the applicable and appropriate rules and regulations.

COMMENT: The project must be consistent with the McAteer-Petris Act and the San Francisco Bay Plan.

RESPONSE: Section 307 (c) (1) of The Coastal Zone Management Act ("CZMA"), 16 U.S.C. Section 1451, et seq., requires that federal agencies conducting or supporting activities directly affecting the coastal zone, conduct or support those activities in a manner that is consistent with approved State coastal zone management programs. The approved coastal zone management program for San Francisco Bay includes the McAteer-Petris Act and the San Francisco Bay Plan, and is administered by the San Francisco Bay Conservation and Development Commission.

The Department considers the CZMA to be a site-specific Applicable or Relevant and Appropriate Requirement (ARAR) for the project.

The remedial activities considered for restoration of sloughs leading from the site into Hoffman Marsh and the Bay would directly affect the coastal zone. Under CERCLA, on-site activities are not subject to administrative review or permitting processes, but they must be consistent with the substantive requirements of the coastal zone management plan.

The McAteer-Petris Act and the Bay Plan were developed primarily to halt uncontrolled development and filling of the Bay. Their broad goals include reducing bay fill and disposal of dredged materials in the Bay, and maintaining water quality and the ecological integrity of the Bay.

The remedial activities proposed for the marsh areas at the Liquid Gold site were designed by the agencies supporting the Department of Toxic Substances Control, including the California Department of Fish and Game, the Regional Water Quality Control Board, the U.S. Environmental Protection Agency, and the National Oceanic and Atmospheric Administration, after consideration of ecological studies of the Hoffman Marsh and drainage channels leading from the site into the marsh. The proposed remedial activities include removal of flotsam from the drainage channels, and excavation and disposal of roughly 1,000 cubic yards of sediments which may have been impacted by the site. The sediments will be disposed of in a non-tidal location.

The purpose of the selected remedial actions is to improve the ecological value of the drainage channels leading into Hoffman Marsh and to mitigate any adverse impacts which may have resulted from past site activities. The actions will not reduce the area of the Bay or result in any filling of the Bay, and are consistent with the coastal zone management plan. Therefore, the selected remedial actions satisfy the requirements of the CZMA.

LIQUID GOLD SITE
RICHMOND, CALIFORNIA
COMMUNITY MEETING TO DISCUSS THE
DRAFT REMEDIAL ACTION PLAN

COPY
ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Richmond Public Library, Richmond, California

March 30, 1993

Reported by: MARK I. BRICKMAN, CSR, RPR

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A P P E A R A N C E S

Panel: **STAN GIORGI**
Department of Toxic Substances Control
Public Participation Coordinator

FRANK GAUNCE
Department of Toxic Substances Control
Site Mitigation Unit Chief

SONIA SANTOS LOW
Department of Toxic Substances Control
Project Officer

ANDREW LINCOFF
United States EPA, Region IX
Remedial Project Manager

Others present: **ANIKO MOLNAR**
Southern Pacific Transportation Comp.

SUSAN GLADSTONE
Regional Water Board

STEPHEN HILL
Regional Water Board

JIM POLISINI
Department of Toxic Substances Control

MIKE POULSEN
Southern Pacific Transportation Company

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BE IT REMEMBERED that, pursuant to Notice of the meeting, and on March 30, 1993, at the hour of 7:37 p.m., at Richmond Public Library, Richmond, California, before me, MARK I. BRICKMAN, CSR No. 5527, a Notary Public in and for the County of San Mateo, State of California, there commenced a hearing under the provisions of the Department of Toxic Substances Control.

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PUBLIC HEARING

MR. GIORGI: Good evening. My name is Stan Georgi. I'm the public participation coordinator for the Department of Toxic Substances Control, which is part of the California EPA, Environmental Protection Agency.

Tonight we're here to discuss the Draft Remedial Action Plan or RAP, as it will be referred to this evening, for the Liquid Gold Site in Richmond, California.

With me tonight is Frank Gaunce, who is a unit chief with the Site Mitigation Branch. He will be talking about the site mitigation process this evening.

Also with me tonight is Sonia Low. She is the project officer for the Liquid Gold Site and she will be speaking about the Draft Remedial Action Plan.

Also with us tonight is Andrew Lincoff from the Federal EPA.

As you may know, the Liquid Gold Site is an NTL site or a national priority site. We are here tonight under the California Health and Safety Code, Division 20, Section 25356.1D.

That requires the State to have a community meeting to discuss the Draft Remedial Action and to have a thirty-day comment period on the proposed RAP and also on the Negative Declaration. The comment period began March 16th and continues through April 15th.

1 Should you have comments regarding the Draft RAP, you may
2 make them this evening, or you may submit in writing your
3 comments to the department.

4 Also at the reference desk here at the Richmond Public
5 Library, we have a copy of the Draft RAP and the Negative
6 Declaration, so if there's further information that you'd like
7 to get and did not receive tonight or some of your questions
8 were not answered, that information is available at the
9 reference desk.

10 As I stated earlier, the panel will make their
11 presentation, and then after that, we have a question and
12 answer period to perhaps answer some questions that you felt
13 were not answered during the presentation.

14 Before I begin, there are some aerial photographs around
15 the room. At the back of the room are some photographs of the
16 site. The one on the left was taken in 1979, which is kind of
17 a before picture, and in 1985 on the right that shows work done
18 on the site, and then today, which is the most up-to-date
19 recent picture of the site.

20 We have a court reporter here to take your responses and
21 we will issue a response to comments after our meeting and
22 after the comment period has ended.

23 If you do have questions, I would like you to state your
24 name and spell your last name for the court reporter.

25 With that, I'd like to introduce Frank Gaunce, Unit

1 Chief, and he will tell us about the site mitigation process.

2 MR. GAUNCE: Thank you, Stan.

3 Good evening, Ladies and Gentlemen. As I was going about
4 preparing for this presentation, I consulted the agenda and
5 found that I was speaking on the site mitigation process, and
6 as I thought about it, it really did not give me very much
7 inspiration as to what I really should say, because it was not
8 clear to me just what the site mitigation process might be.

9 So having thought that over a bit, I then prepared a
10 title which I think might be a little more explanatory of what
11 I will be speaking on.

12 I'll be speaking of the California Hazardous Substance
13 Release Site Risk Mitigation Process. That doesn't roll off
14 the tongue quite as well as site mitigation process, but I
15 think it is much more specific as to what we'll do and what
16 we're concerned about.

17 I think also to give us a much better idea as to what
18 we're speaking of, it might be appropriate if I were to give
19 you a definition of what we mean by "site."

20 Frequently people feel that where a hazardous waste has
21 been released, the site is bounded by the property on which it
22 is found.

23 I'd like to point out that property lines are not the
24 boundaries of hazardous waste sites, but the extent of the
25 release, immaterial of the property lines are the boundaries of

1 the site, and this may go for miles if, in fact, the material
2 that has been contaminated happens to be groundwater or surface
3 water, for instance.

4 I'd like to also point out what we mean by "mitigation."
5 It is frequently assumed that when we are carrying out this
6 process or this cleaning up or mitigating the risks on-site,
7 that we are attempting to make the site pristine again, where
8 there's nothing left, no problems, what have you. That is
9 really not our intent.

10 Our intent is to mitigate the risk, bring them to a
11 condition whereby they are protective of public health, of
12 safety and of the environment.

13 One other word here that I think is significant to all of
14 us and that is the word "process." We're required by our
15 regulations to establish a process whereby we can go about the
16 remediation of releases of waste -- the remediation of risk, I
17 should say -- on sites where hazardous substances have been
18 released.

19 And I will be showing the process by which we go through.
20 The process, of course, is similar to any other process we go
21 through in order to resolve a problem.

22 Before I go into that, however, I might also point out
23 the word -- speaking of hazardous substances that have been
24 released, and by released, again, I mean this hazardous
25 material or substances have been placed upon or allowed to come

1 to be upon some part of the environment.

2 It may be the result of an intentional dumping. It may
3 be the result of an accident. It may be the result of just
4 general disposal, which may, in fact, have been legal at the
5 time.

6 With that introduction as to what I hope I will be able
7 to get across, I will then move on to the slide which gives you
8 a pictorial of what we call the cleanup process.

9 This, in fact, is the process of site mitigation that we
10 would carry out. To begin with, we have to have a site before
11 we can mitigate it, so our -- the first situation is that we
12 have a site discovery situation, and we arrive at that by some
13 report, some observation, perhaps an inspection, or sometimes
14 it may come from a disgruntled employee or even a fisherman out
15 in his boat that sees it.

16 When we get a report of this nature, we will evaluate it,
17 determine what the likely hazards are, what the likely risks
18 are, and may proceed through and produce a ranking of the level
19 of hazard which is there.

20 Our laws require that we do, in fact, rank the sites
21 according to some ranking system. We develop a hazard ranking
22 score, which is used to prioritize the sites, and we select
23 those ones which we point our resources to.

24 That is put together in a report, and if the score is
25 very high, normally we will refer the site to the US-EPA for

1 their action.

2 If it is a lower ranking site, then it will normally be
3 taken care of by State activity and provided by State
4 Oversight.

5 In this particular site, I might point out that we are
6 working with the US-EPA on a high ranking site, and it is
7 undertaken by oversight by US-EPA.

8 When it has been decided that some action might be done,
9 we look to see who the responsible parties may be, how the
10 release came to be, and we then prepare an order to direct
11 those parties to characterize the conditions of the site,
12 determine what has been exposed, what has been released, what
13 areas have been exposed both aerially and steps, whether it's
14 just soil, whether it's groundwater or what.

15 This stage of the investigation, we call that the
16 remedial investigation, and it can continue for quite a period
17 of time.

18 If, as we approach this phase of the mitigation process,
19 we determine that there are very severe risks to the public
20 health or to safety or to the environment, we may, in fact, do
21 some remedial emergency removals or take other steps. This may
22 be done by an emergency unit or we may order the responsible
23 parties to so do.

24 Typical of the things that we will do immediately would
25 be to fence the site to keep it away from -- prevent access and

1 avoid contact by persons or animals, for that matter.

2 If, for instance, we have a situation where surface water
3 is carrying contamination off of the site, we may direct that
4 the site be bermed or diked to contain that water, or if
5 materials are being released to the soil and are penetrating
6 through to groundwater and so contaminating, we may direct that
7 activities be done to minimize that.

8 If per chance we find that the groundwater has been
9 contaminated and that is in the vicinity where people are
10 utilizing that groundwater through sources of potable water, we
11 may arrange for another source to be supplied.

12 These activities can happen anywhere throughout the
13 investigation, and, in fact, anywhere throughout our program,
14 and we refer to those as remedial action measures.

15 When the site has been thoroughly characterized, we know
16 what contaminants are there, their extent, concentrations,
17 what's being affected, perhaps reasonably good understanding of
18 geology and the hydrology, we will then proceed to look at ways
19 and means of remedying the situation, or determine whether, in
20 fact, any remedies are needed to protect the public safety and
21 the environment.

22 The first remedy that we look at, which again is required
23 by our code, is that we look at no further action response.
24 That in essence turns out to be based upon an evaluation of the
25 health and safety risks that are created by the release.

1 Should they be significant, we will continue to look at
2 other remedies to see what can be implemented to make the site
3 safe for human and animal habitation.

4 This activity we call our feasibility study, and we will
5 look at any and all means by which we may be able to remedy the
6 conditions at the site.

7 These can be, perhaps, the removal of material, taken to
8 a disposal as a hazardous waste site; it may be gapping; it may
9 be to pump the groundwater; it may be berming; any number of
10 things.

11 I might also point out before I get too far is that one
12 of the things that we frequently encounter on this site will be
13 the presence of hazardous materials frequently in drums or
14 tanks or something of that nature, and we will very frequently
15 make an immediate removal.

16 Following the feasibility study and from that work, we
17 will select a remedy that appears to be the most effective for
18 that -- this particular site, and that remedy is quite likely
19 to be different for every site that we work with.

20 When this remedy has been selected and we feel that we
21 have a good grip on what is going on, we will then proceed to
22 prepare a Remedial Action Plan. We call this a Draft Remedial
23 Action Plan, and that is what we're here to discuss tonight.

24 The purpose of this plan is to put forward the remedy
25 that we think both -- best fits the conditions of this

1 particular site and that will provide us with a site which is
2 protective of the public health, safety and of the environment.

3 I might point out, also, that early in the finding of
4 this particular site or any site, we develop a community
5 relations plan.

6 This again is a requirement of the code, and we invite
7 by -- by that, we invite input from the community, involved
8 community to insure that we have the community behind us and
9 that which we do.

10 The Remedial Action Plan which is for review is perhaps
11 the major time which the community is invited to give us input
12 with regard to their views on what is going on, and at this
13 time, we are about halfway through a thirty-day public comment
14 period, which is required again by our regulations.

15 At the end of the thirty-day comment period, we will take
16 all of the comments, recommendations that we have heard from
17 the community and prepare a Final Remedial Action Plan that
18 should address everything that has been brought forth.

19 When the Remedial Action Plan has been completed, we will
20 then move forward to the remedial design where that plan will
21 be put into a package.

22 I might point out that in the sense of engineering, the
23 Remedial Action Plan is essentially a conceptual plan, whereas
24 the remedial design is what we might consider a detailed
25 engineering plan.

1 When that is completed and approved, we move forward to
2 an implementation of that plan, which is putting it into
3 concrete at the site, followed by an evaluation and final
4 certification of the remedial -- the Remedial Action Plan has
5 been fully implemented.

6 If the plan does not remove all of the contamination from
7 the site, we will usually require that a deed restriction be
8 placed on the title to insure that only controlled uses will be
9 made.

10 Depending on the level of contamination that remains, we
11 may require that the site be used only for industrial purposes
12 or we may require that no residential use be made of the
13 property.

14 The site then goes into -- we certify that the plan has
15 been completed. The site then moves into an operation and
16 maintenance phase which may continue on for -- in perpetuity,
17 in fact.

18 So what I have presented to you is a -- is a process
19 whereby we go about identifying and characterizing and
20 remediating the hazardous waste sites.

21 It flowed from site discovery through remedial
22 investigation, the taking of any in turn remedial measures that
23 may be required to protect the public health and safety and the
24 environment.

25 From there, we evaluate the feasible ways and means of

1 correcting the -- the releases, prepare Remedial Action Plan,
2 request input from community and other agencies, implement the
3 plan -- design the plan. Implement the plan and close with
4 certification that this has been done.

5 I would now like to ask Andy Lincoff of US-EPA.

6 MR. LINCOFF: Sonia's first.

7 MR. GAUNCE: Excuse me. I would like to ask now Sonia
8 Low to make a presentation of the Draft Remedial Action Plan.

9 Sonia?

10 MS. LOW: Thank you. Good evening.

11 The Liquid Gold Site consists of about eighteen acres of
12 an approximately forty acre property currently owned by the
13 Southern Pacific Transportation Company which from now on I
14 will call Southern Pacific.

15 The site the located in the City of Richmond, west of
16 Highway 580, as known as the Hoffman Boulevard, and south of
17 Bayview Avenue adjacent to the San Francisco Bay.

18 The site is zoned for light industry and is surrounded by
19 mixed use. Northwest of the site is zoned by industry --
20 industrial. Beyond that area is a residential development.
21 It's the Marina Development Center.

22 The area to the east of 580, Highway 580 is zoned for
23 single family residences. A salt marsh, open spaces and Point
24 Isabel, a remediated hazardous waste site, a park are located
25 to the south and southwest of the site.

1 Southern Pacific presently operates a firing west --
2 range to the west of the site. This is the firing range. The
3 firing range was constructed in 1976 and is used by Southern
4 Pacific police officers on occasional basis.

5 CalTrans built an access road directly north and
6 northeast of the firing range. Access to the site is
7 restricted by a barbed wire cyclone fence.

8 The site was formerly the location of an asphalt
9 manufacturing facility operated by San Pablo Oil from the 1940s
10 until about 1965. Little is known about this facility, but in
11 general, asphalt consists primarily of polycyclic aromatic
12 hydrocarbons, which are organic compounds having four or more
13 closed ring structure which are formed by incomplete combustion
14 of organic materials, and in my presentation, I will refer to
15 those substances as "organics."

16 From about 1965 to 1980, Liquid Gold used this facility
17 for waste oil collection, storage and transfer facility.
18 During Liquid Gold's operations, waste oils, solvents and tank
19 bottoms were stored on-site in storage tanks and then sold.

20 The site has been unoccupied since '82. The site was
21 discovered in 1974 when Liquid Gold was inspected by the Water
22 Board in response to an alleged complaint of sloppy operation.

23 Several follow-up inspections were conducted and the
24 Board requested Liquid Gold to clean up. In 1979, as a result
25 of aerial surveillance, the Department discovered Liquid Gold

1 and noted discoloration of soil and leaking tanks.

2 As a follow-up, the Department inspected and collected
3 from areas of suspected contamination. In March of 1980, the
4 US Coast Guard cited Liquid Gold of illegal discharge of oil
5 from the site to the marsh.

6 A restraining order was issued to Liquid Gold to prevent
7 further discharge. The Water Board, the Department and the
8 Department of Fish & Game conducted follow-up inspections in
9 March and April of 1980.

10 Water Board then issued a cleanup and abatement order in
11 May of 1980 requiring Liquid Gold to remove and dispose of all
12 leaking storage tanks and spilled wastes and to conduct the
13 investigation to determine the extent of contamination.

14 Liquid Gold declined to participate further in the site
15 remedial activities. Therefore, Southern Pacific assumed
16 control of the investigation and cleanup.

17 The Department prepared a site scoring package for the
18 Liquid Gold Site in March of 1982, resulting in its placement
19 on the California Superfund list in January of 1983. Also the
20 US-EPA scored the site in August of 1982 and Liquid Gold was
21 then included on the national priority list in 1983.

22 In 1983, Southern Pacific started conducting the remedial
23 investigation. In January of 1988, the Water Board and the
24 Department issued a consent order that established requirements
25 for completing the site investigation and developing a cleanup

1 plan.

2 Various interim remedial measures were performed between
3 1982 and 1989. Twenty-five tanks were removed in 1982 and
4 associated hazardous wastes were disposed of at the Class 1
5 facility.

6 Soils containing about 770 cubic yards were excavated and
7 disposed of properly in 1985. Removal of hazardous --
8 additional hazardous materials from the demolished buildings
9 and general site cleanup was conducted in 1989.

10 As I said, since 1980, many investigations have been
11 performed to evaluate the extent of chemicals at the site,
12 including major investigations that was conducted by Southern
13 Pacific in 1983 and 1988.

14 The results were presented in detail in the remedial
15 investigation report. These investigations included collection
16 of samples for chemical analysis from surface soils, subsurface
17 soils, groundwater, surface water and marsh sediment.

18 Eighteen groundwater monitors were installed. About 500
19 soil samples were collected from surface and subsurface soils,
20 and this is about thirty feet, and over sixty sediment samples
21 were collected from the marsh.

22 Soil samples showed the presence of oil and grease,
23 sometimes at elevated concentrations. However, oil and grease
24 is a very general analytical measurements which can include
25 naturally occurring organic matter in addition to petroleum

1 hydrocarbons.

2 Therefore, oil and grease measurements alone were not
3 relied upon, and the polycyclic aromatic hydrocarbons, which I
4 call organics, were evaluated during the remedial investigation
5 and considered for remediation in the feasibility study.

6 Volatile organics, such as trichloroethylene,
7 trichloroethane, acetone and ketone were not detected inside
8 the soil.

9 The metals, lead, nickel and zinc, were detected in one
10 groundwater monitoring, and this monitoring well, which is in
11 the center portion of where the activity was, which is in the
12 center portion of the site at levels exceeding concentration in
13 other monitoring wells.

14 This indicates that there may be a source of metals in
15 groundwater near this monitoring well. Oil and grease have
16 been detected in recently quarterly monitoring events in
17 groundwater samples collected from some of the wells.

18 As I said, there were about eighteen wells on the site.
19 The marsh. The site is located adjacent to saltwater marshes.
20 Two channels in the marsh, designated Transect 1 and Transect
21 6 -- as you can see on that poster there. That's the Transect
22 1 and Transect 6 -- were investigated during an extensive
23 ecological study performed in 1988.

24 These channels either received some drainage from the
25 site or received discharge during past Liquid Gold operations.

1 The results of the chemical analysis of sediment and biological
2 surveys for these channels were compared with results from two
3 other channels further from the site in the same marsh -- I'm
4 sorry. Other channels from the marsh.

5 There were indications of differences -- before if you go
6 and look at that one, they are numbered 2, 3, 4 and 5,
7 approximately, transects. I don't think you labeled them, but
8 there were six transects that were studied during this
9 investigation.

10 There were indications in the types of numbers of
11 organisms, such as worms and water fleas in the upper end of
12 Transect 1, although there were no conclusive findings of harm
13 due to the presence of chemicals in sediment.

14 In the upper end of Transect 6, the low number of
15 organisms may be at least partially attributable to chemicals
16 in sediment.

17 To summarize the results of remedial investigation, the
18 primary concern of remaining on the site is lead in the
19 subsurface soils from five to 6.5 feet in depths and designated
20 as Area A. Area A is this area where you have this line here.
21 Here.

22 Lead was also present in surface soil samples in an area
23 at the torn end of Area A designated as Lot 4. Organics were
24 also detected in surface and subsurface soil samples at
25 concentrations that may be of concern. Although the

1 concentrations were sporadically located, they tended to be in
2 this area.

3 As I mentioned before, in 1985, about 770 cubic yards of
4 this visible soil contamination were removed as part of the
5 interim remedial measures.

6 Samples from one of the eighteen groundwater monitoring,
7 as is shown in one of the overhead, MW-4R are showed metals
8 above background levels. Oil has been recently detected from
9 some wells.

10 Public health and environmental evaluation and risk
11 assessment was conducted. We have our expert here Jean Siri
12 with Toxicology. Risk assessment looked at the risk to human
13 health and environment if remediation is not performed.

14 The risk assessment study determined that the interim
15 remedial measures performed at the site have reduced the level
16 of contamination to acceptable levels for all uses permitted
17 under current zoning.

18 This -- the study also considered trespassers entering
19 the site and determined they would not be at risk. The risk
20 assessment considered the risk to a hypothetical residential
21 development, even though residential development would not be
22 permitted under current zoning and is not expected to occur.

23 Two limited areas, Area A and Lot 4, of the site were
24 identified as having elevated levels of lead which could
25 potentially pose a threat to people if they lived there.

1 As part of the proposed remedial alternatives presented a
2 restriction to be placed on the deed to the property is
3 required.

4 This will ensure that even if the zoning were to change,
5 residential, school, nursing homes and day care center
6 development could not occur without a review of the risks posed
7 by that development and possible further remediation.

8 The ecological study showed that it is unlikely that
9 organisms in most areas of the marsh are being harmed by
10 chemicals from the site.

11 There are some indications of possible harms in two areas
12 near the site. Therefore, marsh sediments adjacent to the site
13 are considered in the evaluation of remedial alternatives.

14 Each of the alternatives selected was evaluated against a
15 designated or predetermined set of evaluation criteria, nine
16 evaluation criteria.

17 The first, which is the most important of all evaluation
18 criterion, is the overall protection of human health and
19 environment.

20 The second criterion is whether the proposed alternative
21 complies with all applicable federal, state and local rules and
22 regulations.

23 The third criterion is long-term effectiveness and
24 permanence, which accesses the adequacy and reliability of the
25 controls over a long period of time. Giving enough time, how

1 effective would the remediation be for each of the
2 alternatives. That's getting into the question of the
3 permanence, how permanent is the proposed remediation.

4 The fourth criterion is the one that US-EPA calls
5 reduction of toxicity, mobility and volume. The fifth
6 criterion is the short-term effectiveness, let us evaluate how
7 effective the proposed alternative would be in a relatively
8 short period of time.

9 The sixth criteria is implementability. Is there
10 sufficient technology? Is there equipment? Is there manpower
11 to actually implement the proposed remediation?

12 The seventh criterion will be the cost-effectiveness of
13 the remediation. How much the direct and indirect capital
14 costs and the long-term operation and maintenance costs?

15 The eighth is both state acceptance and/or US-EPA
16 concurrence with the Remedial Action Plan.

17 And finally, the community acceptance, and that is one of
18 the purpose of this meeting, to get feedback from the community
19 on how acceptable the Remedial Action Plan is.

20 During the feasibility study, federal, state and local
21 laws and regulations that include criteria, standard and other
22 environmental protection regulations or requirements, were
23 reviewed in order to establish a remedial action objective.

24 This led to development of cleanup levels. Technologies
25 were screened from general response actions that will satisfy

1 the remedial action objectives. From the screening of
2 technologies, remedial action alternatives were identified and
3 analyzed in detail.

4 Let me assume that everybody has gotten a copy of this
5 fact sheet. It's going to strain your eyes. It's from Table 1
6 of your fact sheet. This tables provides you information on
7 the remedial alternative selection by components and primary
8 reasons for selection and rejection. I'll show you that one to
9 make it simpler, this one.

10 Remedial alternatives were evaluated separately for
11 surface soil, subsurface soil and groundwater and marsh.
12 Alternatives for remediation of surface soils and marsh can be
13 implemented independently without long-term impact on the other
14 media, and therefore are presented and evaluated separately.

15 Subsurface soils and groundwater are addressed together
16 because remediation of one medium could have a direct impact on
17 the other medium.

18 The evaluation of the remedial alternatives during the
19 feasibility study were conducted using those evaluation
20 criteria. For remediation of surface soils, seven alternatives
21 from A-1 to A-7 were evaluated. For subsurface soils, there
22 are ten alternatives, and for marsh, from C-1 to C-4, there are
23 four.

24 Of the remedial alternatives evaluated, the proposed
25 remedial alternatives that were not selected are presented

1 first. This is followed by presentation of the remedial
2 alternatives that were selected.

3 Let us take a look at some of the examples that we have
4 on this table, the no action that you can see from A-1, B-1 and
5 C-1.

6 The first alternative for this is called a no action
7 alternative. For Liquid Gold, that would involve stopping what
8 is going on right now, taking no further action. This
9 alternative was evaluated because it's required by law and
10 regulation so that we could establish a baseline for comparison
11 with other alternatives.

12 Another example is the institutional control. First of
13 all, it was rejected for the no -- no action because that would
14 provide assurance of future protection of human health and
15 environment.

16 Another example, as I said, is institutional control
17 meaning activities that don't result in any physical changes to
18 the site, such as long-term groundwater monitoring, maintaining
19 of fence around the site to prevent access or restricting the
20 deed on the property in some way to limit its use.

21 This alternative alone was rejected because it provides
22 no additional assurances for protection of public health and
23 environment. We considered information from the risk
24 assessment, remedial investigation, feasibility study and
25 environmental initial study, which was resulting in the

1 proposed Negative Declaration.

2 Based on this documents and informations and the
3 observation of the site, we determined that no significant
4 environmental impacts would be caused by implementation of
5 alternative selected A-3, vegetated soil cover, B-3, vegetated
6 soil cover with groundwater, and C-4, excavation of drainage
7 channels, Transects 1 and 6.

8 During the completion of the initial study, most of the
9 environmental impacts identified were considered improvements
10 to the environment. Some minor adverse environmental impacts
11 were also identified which can be minimized by planned
12 mitigation procedures.

13 For instance, standard procedures are available and can
14 be used to suppress dust generation during up land soil
15 activities.

16 The most significant adverse environmental impact for the
17 site is associated with the remediation of the marsh.
18 Excavation of marsh sediment will result in the loss of most of
19 the organisms in the surface sediments in the channels to be
20 excavated.

21 It is anticipated that the excavated channels will fully
22 recover through natural buildup of sediments and replacement of
23 organisms from the surrounding area.

24 The adverse impacts are expected to be short-term, with
25 full recovery of the marsh taking approximately five to ten

1 years.

2 We consider the short-term adverse impacts to the marsh
3 to be offset by the long-term benefits of marsh remediation.
4 The proposed remediation alternatives A-3 and B-3 presented in
5 the Draft Remedial Action Plan, which was submitted to us dated
6 March 1993, for soil and groundwater involve placing a
7 vegetated soil cover over the site most extensively used in the
8 past.

9 As I said, this is overhead exposed on that side there.
10 The vegetated soil cover will include grading of the extended
11 area to control runoff. This is the area where we have the
12 soil cover.

13 Seeding the area with native plants, placing a
14 restriction in the deed and installing a fence; implementing a
15 long-term groundwater monitoring program.

16 These proposed alternatives will meet the remedial action
17 objectives for soil and groundwater by restricting development
18 of the site for residential use, by reducing the potential for
19 disturbance of the soils, and by providing a means for
20 long-term monitoring of groundwater to detect significant
21 changes in groundwater quality that will trigger corrective
22 action.

23 The potentially affected marsh area will be remediated,
24 C-4, by excavating sediment from the drainage channels,
25 Transects 1 and Transect 6, and the disposal of the sediments.

1 Sediments will be excavated from the two drainage
2 channels in the marsh. All of the southwest drainage channels
3 and the upper end of the drainage channels, Transect 1.

4 The remediation will include first removing the floating
5 debris from the upper ends of the channels. Removing sediment
6 from the channels to a depth of one foot at the channel center.

7 Sampling and analyze -- analysis to demonstrate the lack
8 of harmful ecological effects to the remaining sediments.
9 Sampling and analysis of the excavated material, the sediment
10 to identify proper disposal methods.

11 If all goes as currently planned, the particular
12 alternatives A-3 and B-3 will be implemented in string of 1994,
13 and alternative C-4, marsh remediation in late summer of 1994.

14 Construction of the upland vegetated cover will be
15 implemented prior to marsh remediation to minimize effects on
16 the marsh. Excavation of sediment from the drainage channels
17 in the marsh would be scheduled for a time of the year when the
18 potential adverse effects due to excavation is minimized.

19 A couple of activities have to happen before we can
20 proceed for Remedial Action Plan implementation. We need to
21 finalize that Remedial Action Plan which is now still in the
22 draft stage.

23 And part of that finalizing the plan will be
24 incorporating or responding to the public comments received
25 during the thirty-day comment period.

1 Then we need to complete design drawings and
2 specifications for the vegetated soil cover and to obtain any
3 and all outstanding agency approval required for the execution
4 of these alternatives that were selected.

5 It is necessary to get permission from the property owner
6 of Transect 6. Contractors selected by Southern Pacific may
7 need access in order to carry out the alternative the Transect
8 remediation.

9 Selecting qualified contractors or crew to do the work is
10 also required. An approvable and implementable health and
11 safety plan is required prior to remedial actions execution.

12 We then grade the extended area to promote surface runoff
13 in preparation for the vegetated cover. Once covering is
14 completed, a long-term groundwater program will begin as well
15 as a cover maintenance program to preserve the integrity of the
16 cover.

17 Maintenance activities will include inspection of the
18 fence and repair of any damage, inspection and repair of
19 monitoring wells, inspection and necessary replacement of
20 damaged vegetation.

21 Following replacement of vegetated cover, Southern
22 Pacific will monitor groundwater quarterly for the first year,
23 then semi-annually.

24 At the end of the five year, groundwater will be
25 evaluated. The groundwater data will be evaluated. If cleanup

1 levels are not exceeded, monitoring program will be
2 discontinued.

3 Should the data exceed the cleanup levels, monitoring
4 will continue up to thirty years. Maintenance of the cover
5 will also be continued during the thirty-year periods.

6 The covenant of deed restriction to prevent activities
7 which would disturb the soil and allow development of
8 residential areas will be permanent, or forever.

9 Once covering is completed, marsh excavation will follow
10 which is scheduled for late summer. An access road is to be
11 constructed. The estimated time of marsh clearing and
12 excavation activities is two months. The confirmation sampling
13 will be conducted immediately following excavation.

14 There is no operation and maintenance required for the
15 marsh. The Department is required to make a preliminary
16 non-binding allocation of financial responsibility which is not
17 binding for all responsibility parties, including the
18 Department.

19 All responsible parties will have the opportunity to
20 comment on this allocation pursuant to the Draft Remedial
21 Action Plan processed under the Health and Safety Code.

22 The Department that allocates Liquid Gold fifty percent,
23 San Pablo Oil ten percent, and both Southern Pacific
24 Transportation Company and Southern Pacific Land Company forty
25 percent.

1 This allocation is preliminary and non-binding and based
2 on the information that we have now. The Department waives no
3 rights in making these allocations.

4 Finally, Comprehensive Environmental Response and
5 Liability Act, CERCLA, requires that remedial actions be
6 reviewed periodically and at least every five years after the
7 initiation of the remedial action as long as the contaminants
8 remain at the extended area.

9 With that, I will give the floor to Andy Lincoff, the
10 remedial project manager of the US-EPA.

11 Andy.

12 MR. LINCOFF: Thanks.

13 Good evening. My name again is Andy Lincoff. I
14 represent the US Environmental Protection Agency. I will very
15 briefly describe to you EPA's role in this process.

16 As Sonia and Frank said, the Liquid Gold Site is on EPA's
17 national priority list as well as on the State Superfund site.
18 The actions that have been performed in the site to remove
19 hazardous substances from the site and the studies which have
20 been performed to support the Draft Remedial Action Plan, which
21 Sonia just described, have been in compliance with both state
22 laws and with the Federal Superfund law.

23 Significant actions have already occurred at the site,
24 including the removal of twenty-five bulk storage tanks,
25 seventy-three drums of hazardous waste and the removal of 760

1 cubic yards of contaminated soil.

2 EPA believes that the additional actions proposed in the
3 State's Draft Remedial Action Plan will protect human health
4 and the environment and are an appropriate final remedy for the
5 Liquid Gold Site.

6 EPA intends to issue a concurrence record of decision
7 with the State's Remedial Action Plan after reviewing the
8 public comments made tonight and during the rest of the public
9 comment period.

10 Both the State and EPA will fully consider all public
11 comments before we make our respective final decisions.

12 Thank you.

13 Stan?

14 MR. GIORGI: Well, I'm sure you all digested that and
15 are now familiar with the Draft Remedial Action Plan. We'd
16 like to open up this section to questions and answers from any
17 of the members of the audience.

18 We also have various agency people seated throughout the
19 audience. If they need to add some further insight into the
20 answers, they will speak out.

21 So I need you to state your name and spell it for the
22 record.

23 MR. DOUG BRUCE: Doug Bruce, B-r-u-c-e. I chair the
24 Richmond Annex Neighborhood Council. The area of discussion is
25 in our area. And we have worked with your agencies before and

1 other shoreline projects.

2 One thing that occurs to me in your presentation, in the
3 alternative, you refer to an up to two foot cap of clean soil.
4 That "up to" bothers me as a definition.

5 Does this mean one inch to two feet? Who decides?
6 Shouldn't it be stated in minimum terms if it's to be truly an
7 earth cap?

8 MR. LINCOFF: I think you're right. It is vague. We
9 all were thinking of it as a two foot cap and we should correct
10 that.

11 MR. BRUCE: So then two feet will be the minimum if that
12 was your intent?

13 MR. LINCOFF: Yes.

14 MR. GIORGI: Jean Siri.

15 MS. JEAN SIRI: I have a lot, George.

16 What are the red dots on that map?

17 MS. MOLNAR: The red dots on that map are sampling
18 locations with one of the transects.

19 MR. POLISINI: Soil samples?

20 MS. MOLNAR: Sediment samples.

21 It's an old aerial, but one each of those -- and it's not
22 marked clearly, but the various transects, they each represent
23 various samples throughout the marsh, and to the right of the
24 aerial, there are still some more that are not depicted on that
25 aerial.

1 MS. SIRI: The reason I ask is a great many people walk
2 their dogs from Point Isabel. They also worry about the
3 surface water sitting from the rain which the dogs drink and
4 they worry about what you have found in those wells which are
5 outside the fence.

6 Is the blue line the fence? That's not real clear to me.
7 Where is the fence?

8 MR. GIORGI: The fence is entirely around this area,
9 right?

10 MS. SIRI: It is the blue line?

11 MS. LOW: No.

12 MS. SIRI: That's real helpful. It's sort of the blue
13 line?

14 MS. LOW: My understanding is this.

15 MS. SIRI: Oh, yes.

16 MS. LOW: This one is also.

17 MS. SIRI: It surely doesn't include the rifle range,
18 does it? That can't be quite right.

19 MS. MOLNAR: The rifle range is separately fenced.

20 MS. SIRI: Right. That's outside the hazard area,
21 so-called.

22 MR. GIORGI: It's its own hazard.

23 MS. SIRI: It has a little lead, I'm sure, among other
24 things.

25 Is there any problem with the water cooling on the

1 outside surface of the outside the fence, or has there been any
2 problem in the wells that are outside the fence?

3 MS. LOW: We -- go ahead, Susan.

4 MS. GLADSTONE: I'm Susan Gladstone. I'm with the
5 Regional Water Board.

6 Your question about the surface water pooling on the
7 surface. To my knowledge, there hasn't been anything detected
8 in that water, and part of the remediation process is to
9 regrade that area so we don't have a problem with water ponding
10 anymore.

11 In terms of anything being detected in the wells, there
12 are some metals that have been detected in some of the wells on
13 the site.

14 It's very spotty, but the primary well of concern is in
15 the middle of what is considered the former activity area.

16 MS. SIRI: I was curious to know how all these years,
17 like it's fifteen or something, you stopped the flow of
18 chemicals and so forth in the marsh to the bay.

19 Suddenly we're going to clean it, you know, but what
20 happened during the fifteen years that it was flowing or it
21 just flowed?

22 MR. GIORGI: There was the soil removal action that
23 took place.

24 MS. SIRI: Not in the streams.

25 MR. GIORGI: No.

1 MS. SIRI: Interesting.

2 MR. JIM POLISINI: I guess my response would be that
3 there have been numerous samples taken in the marsh and
4 numerous studies done.

5 MS. SIRI: There hasn't been anything found.

6 MR. POLISINI: We haven't found -- it's been impossible
7 to conclusively detect if there was anything there.

8 MS. SIRI: Okay.

9 MR. POLISINI: The places where we've been looking at
10 remediating were Transect 6, where it's yellow, and places at
11 the top where it might be. We're not even certain that there
12 is one.

13 MS. SIRI: I'm curious about one thing. This site has
14 been on the Federal Superfund site for a long time.

15 What is so bad about this site is if nothing is
16 detectable in the water? I never did understand why this site
17 was so hazardous that it was on the Federal Superfund site. It
18 seems milder than a lot.

19 MR. LINCOFF: It is now, but if you look at the
20 photograph from 1979, you can see that there are a lot of very
21 large points.

22 MS. SIRI: So it got put on this early?

23 MR. LINCOFF: Right.

24 MS. SIRI: Right.

25 MR. LINCOFF: But now, you're correct. There is not

1 much left that's wrong, and so there's --

2 MS. SIRI: Pretty good. I'm surprised.

3 Will the fence continue? Is the fence going to be a
4 permanent fence?

5 MS. LOW: Yes.

6 MS. SIRI: That's what I thought I understood.

7 MS. LOW: Yes.

8 MS. SIRI: Okay.

9 MS. MOLNAR: The fence will continue.

10 I'm with Southern Pacific Transportation Company. It's
11 currently envisioned to continue basically to promote the
12 vegetative soil covers, so it's not disturbed, and to
13 discourage trespassing in and any additional dumping on the
14 site.

15 It's not -- it's not there to -- as a health -- as a
16 health related barrier.

17 MS. SIRI: Right. I realize that.

18 MS. MOLNAR: But it will continue as long as --

19 MS. SIRI: The other question I have is about San Pablo
20 Oil. They were an asphalt manufacturer there, and down the
21 marsh, toward Point Isabel, there are hundreds of piles of
22 asphalt roofing just dumped along the marsh.

23 I'm presuming it's Southern Pacific property. I don't
24 know what it is, but it's been terribly offensive to the people
25 who walk there, because it's obviously something that shouldn't

1 be there that must have been dumped by the asphalt company.

2 Have you thought that maybe you ought to increase their
3 bit here and have them clean it up?

4 MR. GIORGI: I think we have to conduct investigations
5 along those lines just to see what is there.

6 MS. SIRI: I think that would be nice.

7 MR. GIORGI: I think we can carry this information to
8 our surveillance and enforcement branch.

9 MS. SIRI: I took it to the county at some point, and
10 they seemed to think that asphalt roofing was rather mild on
11 the list of hazardous stuff and they just let it ride.

12 The company that has dumped it, or you could show that it
13 dumped it, and of course you can't do that. Do the best you
14 can, will you?

15 MR. GIORGI: I'll speak with our SME branch, and I'll
16 see if they can send some of their investigators to check that
17 out.

18 MS. SIRI: Thank you. That's all I have.

19 MR. GIORGI: Can I finish my list?

20 MS. SIRI: I have one other thing that concerned me
21 particularly if I understood you correctly.

22 The cost of the cleanup list was to be divided between
23 various companies, and you listed Liquid Gold with fifty
24 percent of the cleanup cost.

25 Did I understand you correctly?

1 MS. LOW: Yes. They were allocated fifty percent.

2 MS. SIRI: Do they still exist?

3 MR. BRUCE: My understanding is they are -- they don't
4 exist; they're bankrupt and they have no assets.

5 Would Southern Pacific become responsible for that amount
6 or --

7 MR. GAUNCE: I think one needs to realize that, number
8 one, this is a non-binding allocation of responsibility or
9 liability, which is required by the code. It has no -- it is
10 not binding; and number two, the liability for any release of
11 hazardous waste is joint and several, which means that any
12 entity that has released hazardous waste can be held
13 accountable for all costs of remediation.

14 That is something that usually is either accepted by one
15 or all of the responsibility -- responsible parties or is
16 adjudicated in court.

17 MR. BRUCE: All right. But in this case, Southern
18 Pacific was not actually itself releasing the waste. It was
19 the company leasing land from them that did, so by your
20 definition, they aren't directly responsible for waste release
21 except as a landlord.

22 Does that still hold?

23 MR. LINCOFF: Our definition includes property owners.

24 MR. BRUCE: Okay. That was one of our concerns.

25 The other concern, and she mentioned this, also. That

1 area has long been in public use for the last half century, and
2 now increasingly. The whole shoreline area, the shoreline
3 trail, as you know, abuts this trail that will be going in, but
4 even without that, this area is used, as you mentioned, dog
5 walkers, kids, kite flyers, joggers. The area is really a
6 public use site.

7 Now I notice with interest that you're specifying that it
8 would not be suited to residential development because of the
9 potential continuing risk, but I'm wondering if residential
10 development is any different than recreational use, kids and
11 dogs and others running across an unplanted or an uncovered
12 site.

13 My point is I think we need to look at it as a public use
14 area and treat it with all the concern and protection that you
15 would do, if it were a public work, because surrounding it is
16 increasingly becoming public park land.

17 The shoreline trail, we have the ICI marshland that's
18 being reserved as a public domain, Point Isabel Park, and
19 hopefully additional parklands in that area, so that is the
20 direction of the area, and for this island to be in in a
21 different category risk-wise doesn't to me make good sense in
22 the long-term sense; that is, just a fence and maybe a shallow
23 cap may not be the adequate solution.

24 MR. LINCOFF: The -- when we say that the site's not
25 suitable for residential use, we're being very conservative.

1 The risk assessment also included looking at what would
2 happen if children are trespassing on the site, and the result
3 was that they would not be at risk from the contaminants on the
4 site.

5 MR. BRUCE: Even without the cap or after?

6 MR. LINCOFF: Even without the cap. The cap is going to
7 increase the ecological value of the site, and the cap and the
8 grading are going to do things like prevent ponding, but even
9 without the cap, the risk assessment found that children
10 trespassing wouldn't be adversely affected.

11 So I think that concern has been addressed.

12 MR. BRUCE: The other concern would be on the marsh
13 contamination, which I realize is somewhat open to question
14 just how bad it might be.

15 There is regular shell fishing and regular fishing off
16 that entire shoreline and continues to be, so anything coming
17 through the marsh directly or indirectly into the bay shore
18 water table is subject to contaminating food.

19 MS. SIRI: The ocean has been fishing in the
20 marsh.

21 MR. BRUCE: smaller restaurants often buy from these
22 independent fisherman. It's just a reliability of life all
23 along the East Bay. So that is a public health concern.

24 MR. LINCOFF: As Jim said, we haven't -- correct me if
25 I'm misstating. We haven't been able to tie any contaminants

1 in the marsh to the site.

2 The conclusion that some of the marsh has been affected
3 is based on looking at the kinds of organisms that are in --
4 in -- up in those transects, and their populations -- the kinds
5 of things you find suggest that there may be some stress there,
6 and that is -- that's why those two transects are being
7 remediated, but certainly there has been -- we've looked for
8 contamination related to the site and not found it.

9 The -- and we don't think there's any indication now
10 that -- that the soil contamination on the site, the lead, for
11 example, is -- is going anywhere.

12 MR. BRUCE: It's not leaching down into the aquifer.

13 MR. LINCOFF: There are a ring of monitoring wells and
14 they're going to stay there and we're going to continue to
15 monitor it, but for the time being, we don't think that the
16 site is releasing contaminants to the environment.

17 MR. BRUCE: I have just one final question, and this is
18 in process and I'm not sure I fully understand.

19 You mentioned in the monitoring process, that Southern
20 Pacific would do its own monitoring.

21 I'm not in any sense trying to --

22 MS. MOLNAR: We've heard it all before.

23 MR. BRUCE: But it seems to me that this is like
24 assigning the fox to watch the hen house in a sense.

25 What safeguard -- speaking generally, not just about SP,

1 any private company. What safeguard is there that that company
2 is not just going to find things to suit its own best interest
3 and not report accurately to the State?

4 Does the State monitor on a regular basis?

5 MS. GLADSTONE: I guess I can answer that question
6 because I've reviewed a lot of groundwater monitoring reports,
7 and Southern Pacific as well as any organization that's ordered
8 to do monitoring is required to submit the results to us, not
9 just the numbers that they -- that they spell out or the
10 concentrations.

11 MR. BRUCE: The samples?

12 MS. GLADSTONE: But the laboratory results, as well.
13 They have to go through very rigorous quality assurance,
14 quality control, and we have -- we can look at laboratory data
15 to see if everything has been validated as it's supposed to be.

16 So your observation is a good one, but we -- those
17 reports will be sent to all of the interested agencies every
18 quarter, and the Regional Water Board will definitely be
19 looking at those.

20 MR. BRUCE: But there is no actual third party on-site
21 inspection during this monitoring period?

22 MS. GLADSTONE: We periodically can go out and observe
23 the sampling that's done at the time that it's been done, and
24 we've been known to do that at various sites.

25 MR. BRUCE: We assume that Southern Pacific's going to

1 do the right thing. It seems to be in their best interest.

2 MS. GLADSTONE: Even the same sampling machine. There's
3 a way that it's spelled out, a standardized procedure for
4 sampling, as well as analytical.

5 MR. BRUCE: Thank you.

6 MR. HILL: I'm Stephen Hill, also with the
7 Regional Water Board.

8 All these labs they use are state certified. It's not
9 just Southern Pacific taking it back to its own lab, unless
10 they have state certification.

11 MR. BRUCE: Thank you.

12 MR. GIORGI: Katya Rochell.

13 MS. ROCHELL: My name is Katya Rochell. I'm with the
14 Southwest Annex Neighborhood Council, and Crimewatch.

15 I have another question about this Point Isabel Park.
16 Now I walk my dog there, too. There is a canal that runs
17 between the two parts of the park and runs into railroad
18 tracks, and it always looks so filthy and ugly and I see all
19 kinds of things bobbing up and down that's been dumped, and
20 people's dogs jump in there and fetch balls, and they shake all
21 over the people and they drip all over the back seat on the way
22 home.

23 Is this really safe for the families and the animals?

24 MR. GIORGI: There's really no --

25 MS. ROCHELL: It looks awful. I wouldn't want my dog in

1 it.

2 MR. GIORGI: That's personal choice, but right now,
3 we're talking about the Liquid Gold Site.

4 MS. ROCHELL: But it all drains into that eventually;
5 doesn't it?

6 And that is a public -- it's a very popular park.

7 MR. GIORGI: Right. We're familiar and we are working
8 with the certain organizations that we're communicating with
9 with the dog run. But it would be hard for us to say here
10 tonight, you know, whether that is a safe area or not.

11 I think as we've tried to convey tonight, that most of
12 our tests and reports have shown that there does not seem to be
13 a flow of contaminants off of this parcel of land.

14 So now, you know, looking again at the shoreline, there's
15 numerous things that could be going into that, so it would be
16 hard for me right now to say yes or no to that.

17 MS. ROCHELL: You can't pin it all to Liquid Gold, but
18 somebody did it.

19 MR. GIORGI: There could be nothing there. Just the
20 marshland.

21 MS. ROCHELL: It looks so unwholesome and dirty and
22 sludgy. You can see the little birds there, and I wonder if
23 their shells are too thin to raise young and old. It's a total
24 environment. It seems like so much of our beautiful shoreline
25 is nothing by a garbage dump.

1 Is there any hope that some day we can have a nice place
2 where people can be safe and enjoy and it will smell nice?

3 MR. GIORGI: That's part of our mission.

4 MS. ROCHELL: And look good.

5 MR. GIORGI: That is part of our mission in our
6 department, is to protect the human health and safety and
7 environment, and we are striving to mitigate these sites as
8 they are now and hopefully if we continue, we can get back to a
9 place where we all want to be.

10 I would also like to mention that, particularly with this
11 Liquid Gold Site, we have been in contact with representatives
12 of the East Bay Regional Park as well as various grass root
13 organizations, representatives of Shoreline Park, et cetera and
14 advising them of our Draft Remedial Action Plan and getting
15 their concerns and comments on any work being done in that
16 area, if it will have any affect on their park.

17 I've been in contact with ABAG, Association of Bay Area
18 Governments, as well as Assemblyman Bates' office, who
19 sponsored the assembly bill for that, as well as a woman, Anna
20 Hearn, who sponsored the bill for the east shoreline, and also
21 Mr. Lindemeyer, who's the environmental specialist for East Bay
22 Regional Park, as well as a few other people, and our office
23 has been in communication with them as well as Southern Pacific
24 in advising them of our role.

25 MS. ROCHELL: I'm also curious. You take away the

1 contaminated soils and tanks of crud and petroleum or whatever
2 it is, where do you put it?

3 I hope you don't dump it by somebody's Indian
4 reservation.

5 MR. GIORGI: Hopefully not.

6 There are designated landfills and ways of disposal, and
7 the State does observe those. We do not do a random dumping.

8 MS. ROCHELL: When you do it away from us, we don't want
9 you to give our trash to somebody else.

10 MR. GIORGI: Can I have your name, please?

11 MR. PHIL MAYNARD: Phil Maynard, M-a-y-n-a-r-d.

12 I was interested to hear more about the groundwater and
13 the monitoring. Sonia, I liked your presentation. I learned a
14 lot, but when the groundwater monitoring would only last for
15 five years until -- I think you used the term "cleanup levels
16 were established," I haven't had a chance to read the whole
17 report, but is that cleanup levels, are they specified levels
18 of lead that will be allowable, polynucleic-- or polyaromatic
19 hydrocarbon, will that be spelled out in that?

20 MS. LOW: I think the PVC cleanup level that we use in
21 the Marine Corps criteria and the national water quality. They
22 exceeded those criteria, then we considering --

23 MR. MAYNARD: I'm sorry. The National Marine?

24 MR. LINCOFF: The potential concern for groundwater at
25 the site is not drinking water, because the water there is

1 brackish. It's next to the bay and it's undrinkable because
2 it's salty, but the -- of potential concern is that the
3 contaminants could move out and then affect the bay, so the
4 criteria that we look at are in this case the State's water
5 quality objectives for the bay.

6 MR. MAYNARD: Water quality objectives for the bay.

7 MR. LINCOFF: Right.

8 MR. MAYNARD: Which is sort of like the background
9 levels that might be in the bay.

10 MR. LINCOFF: Hopefully they're appropriate for --.

11 MR. POLISINI: I'm Jim Polisini with Toxics.

12 They're basically no effect levels that if you had that
13 concentration level in the bay, you wouldn't expect an affect
14 on living organisms.

15 MR. MAYNARD: Who wouldn't expect it.

16 MR. POLISINI: They're laid out in the basin plan by the
17 San Francisco Regional Board, and there are some publications
18 from -- I think from the State Board on that closed bays and
19 estuaries.

20 MR. HILL: Just for your background, it's 5576 parts per
21 billion for lead. That's roughly the whole range of organisms.

22 MS. MOLNAR: There's also the Appendix 2, the Draft RAP
23 lays out in detail the groundwater monitoring program and the
24 criteria that would be used to decide on whether there is
25 additional monitoring or not and what kind of analysis --

1 statistical analyses and what things would be compared to.

2 So, you know, if you want more information on that, that
3 would be where to refer to on how the plan is laid out.

4 MR. MAYNARD: The sites, you know, we're been in the
5 process of cleaning it up for ten or fifteen years. Five years
6 of monitoring didn't sound like --

7 MS. MOLNAR: That's a minimum level.

8 MS. GLADSTONE: I think we should clarify that.

9 They're going to continue monitoring every quarter, and
10 depending on what the results look like twenty-five years from
11 now, that will add an additional five years of data we already
12 have about five years of monitoring data.

13 That will give us a total of ten. That will help us
14 decide how much, or if they should continue groundwater
15 monitoring, and I can't speak specifically for five years now,
16 but normally what we do is we will often work on a phased
17 approach for groundwater monitoring if we want to terminate.

18 Sometimes we do in a phased approach. We look at the
19 wells where we think those parts of the groundwater are not a
20 proper problem. We may reduce the sampling frequency. We may
21 reduce the number of wells of the sample. It's often not a
22 case of sampling the wells and stopping entirely.

23 If it were happening today, that's how we would evaluate
24 it. Five years ago, I don't know.

25 As Andrew said, the statistical evaluation of the data as

1 it comes in every quarter as it compares to the quarter quality
2 criteria now and for the future, in case that changes, will all
3 be considerations for monitoring.

4 MR. GIORGI: Jean.

5 MS. SIRI: Where is this road they're going to put in
6 for the cleanup? I'm just curious. From which direction is it
7 coming? Anybody know?

8 MS. MOLNAR: Well, you mean for the marsh cleanup?

9 MS. SIRI: Or for any cleanup.

10 MS. MOLNAR: Well for the grading and on-site, the road
11 strips are pretty much in place. For this Transect 6 down
12 here, it's going to just come from the site. There's going to
13 have to be some sort of road built to go in there.

14 For the Transect that's up above near the highway, the
15 Interstate, there's going to have to be some road constructed
16 and also --

17 MR. POULSEN: It will probably come off the highway.

18 MS. MOLNAR: It will be some low impact pressure
19 machine, come in off the Interstate, possibly. The design of
20 that hasn't been worked out. That will be forthcoming.

21 MR. GIORGI: Doesn't that get into BCDC regulations, if
22 you start to put in roads, and --

23 MS. MOLNAR: Our understanding is we will need to comply
24 and get a permit from BCDC, yes, and that's actually --

25 MS. LOW: That's in here.

1 MS. MOLNAR: That's stated in the RAP, as well.

2 MR. GIORGI: Because there is concern about the
3 additional road that's going in there.

4 MS. MOLNAR: It's clearly in BCDC jurisdiction,
5 and they will become involved.

6 MR. GIORGI: I'd like to reiterate at this point that
7 what we presented tonight is a brief summary of the total
8 Remediation Action Plan.

9 The document is available either at our offices or at the
10 library. It is a pretty thick and thorough document. We are
11 being somewhat light.

12 MS. SIRI: We didn't want to read it all.

13 MR. GIORGI: Jean's read enough of those. She can tell
14 you how thorough they are.

15 The Bayview exit here off of the freeway, there is a road
16 that you come back in here, and the existing road does come
17 here.

18 I believe it would be an extension coming down here or
19 possible access through here.

20 MR. STEPHEN LINSLEY: My name is Stephen Linsley. I'm
21 the laboratory supervisor for the City of Richmond here, and my
22 concern is with the vegetated soil cover's integrity, because I
23 know that organic chemicals will migrate.

24 I mean, that's sort of -- it seems to be one of the laws
25 of hydrogeology, and the fact that unlike a lot of sites,

1 there's a lot of, you know, things that were put in the ground
2 which can show up as organic chemicals like petroleum
3 hydrocarbons.

4 I know that those can be mobilized by surface and
5 subsurface water, and also lead was detected there, and that's
6 very water soluble, and Polisini just am wondering how vegetated soil
7 cover is in itself going to be acting as a spongy ultimately to
8 suck up what might be in the soil now.

9 MR. LINCOFF: It's not intended to do that. It's -- it
10 will help direct runoff away from the area that has elevated
11 contaminant levels, but the reason that only monitoring is
12 being done right now is that there isn't any indication that
13 anything's moving off-site.

14 The -- the oils that's there now is old and weathered
15 oil, and -- and heavy petroleum products are asphalt
16 manufacturing, and they tend -- tend not to be mobile, and the
17 main chemical concern is lead, which is also usually not
18 mobile.

19 MS. LOW: And we have said that as part of the interim
20 remedial measures that was done in 1985, we assume that most of
21 these oil materials have already been removed.

22 So if there will be some oils, they will be only
23 sporadically, and they are isolated on that Area A and also Lot
24 4.

25 MS. GLADSTONE: One of the reasons we have the long-term

1 monitoring program so that if anything is mobilized into the
2 groundwater, we would be able to detect it by one of the
3 peripheral wells, possibly.

4 MR. GIORGI: Any further questions?

5 MS. SIRI: no.

6 MR. HILL: One clarification.

7 You talked about the fence that would be installed.

8 Would that be at the current -- maybe just clarify for
9 the group here.

10 Would that be the blue line on the map essentially or
11 something different?

12 MR. GIORGI: It would be this -- is that
13 correct?

14 MS. SIRI: It would be the same as it is now.

15 MS. MOLNAR: I can answer that.

16 Most of the blue area is already fenced, except, Stan,
17 the section next to the stand. That currently does not have a
18 fence, and the fence would be extended to include that area,
19 and it's -- other than that, it's a little bit more inclusive.

20 There are some portions of the fence that have been
21 pointed out as -- on the highway side that are not -- not quite
22 right, and that would also be augmented and fixed up.

23 MR. GIORGI: I'd just like to make a suggestion that in
24 the fencing requirement, it seems to me there should be a
25 maintenance provision, as well. Just putting in a fence and

1 then letting it behave.

2 MR. GIORGI: I believe Sonia did touch on that in her
3 presentation.

4 MS. LOW: We will be maintaining it.

5 MR. GIORGI: It will be required.

6 MR. BRUCE: I think there are a number of breaks in the
7 existing fencing.

8 MS. MOLNAR: There are?

9 MR. BRUCE: In recent months, I have seen them.

10 MS. MOLNAR: And on the fence?

11 MR. BRUCE: Parents have told me that youngsters can get
12 through.

13 MS. MOLNAR: That's a point well taken. It does have to
14 be looked at and maintained. We do get calls.

15 MS. SIRI: The only thing I want to suggest. I've found
16 the gate open on occasion. That's something else.

17 MR. GIORGI: That should not occur. If residents know
18 that, they should call our number.

19 MS. MOLNAR: We would like to know that.

20 MS. SIRI: Polisini have called the county.

21 MS. MOLNAR: The Department's the best people to call.
22 We try to make an effort to change the combinations on the
23 locks, and we'd like to be aware of it if the gates are opened,
24 so --

25 MR. GIORGI: Is there also a posting of signs with a

1 phone if you number, because this would be the best way to let
2 people report what they see?

3 MS. MOLNAR: there is.

4 MR. BRUCE: But not very frequently.

5 MR. GIORGI: It is at the gate.

6 MR. BRUCE: Occasionally intermittent posting. It is a
7 huge area.

8 MR. POULSEN: I believe it is one gate or, oh, a couple
9 other strategic locations, and the former gate, and it says
10 DTSC's phone number.

11 MR. GIORGI: Any other questions?

12 MR. MAYNARD: Many of us are interested in seeing this
13 incorporated in the shore state park, including Hoffman marsh.

14 Could you clarify the status then? I think we learned
15 that it can't be used for residential, but I think we said
16 something about it could be used for zoned commercial.

17 Is that true?

18 MR. GIORGI: Well, the current zoning laws, I believe,
19 are --

20 MS. LOW: Light industry.

21 MR. MAYNARD: -- for that property.

22 MR. GIORGI: For that piece of property, right.

23 MR. MAYNARD: So does this cleanup allow it to be used
24 for industry?

25 MR. GIORGI: Yes, it does. Yes.

1 MS. ROCHELL: How soon can they start doing whatever
2 they're doing?

3 MR. GIORGI: We're still in our comment period. I guess
4 it's predicted April of '94.

5 MS. LOW: As Polisini presented in the -- this will be
6 finishing it by September of 1994, and we will certify the
7 site by December of 1994 after all of the work has been done.

8 MS. ROCHELL: How much of this is solid ground and how
9 much of this is marsh, and how much is half and half or
10 whatever?

11 MR. GIORGI: Well --

12 MS. ROCHELL: Does it depend on the weather and the time
13 of year?

14 MR. POLISINI: And the tide. It depends on a lot of
15 things.

16 MR. LINCOFF: If you'll follow my pen, this is marsh
17 here. This is a shoreline. This is fill in here. Again down
18 here, this is marsh, you can see a slough, and this is a
19 shoreline.

20 In this area, inside this fence, this is partially filled
21 and it's populated by wetland plants, so normally, it doesn't
22 have water in it, but this would also be considered wetland,
23 and this whole area here is all filled, as is this area down
24 here.

25 MS. SIRI: So my understanding is you can start work in

1 about the end of April?

2 MS. LOW: We are planning to start somewhere in June of
3 1994.

4 MS. SIRI: Not until June? Why so long?

5 MS. MOLNAR: The schedule of when the remediation would
6 actually take place had to do with half of the wet season and
7 then the marsh has to do with least disturbance to the animal
8 life there in terms of their mating cycles.

9 So there is a delay between when you would see on the
10 schedule final approval of the design and an implementation.
11 However, presumably that time period will be needed to obtain
12 permits, as well. But it's scheduled for the summer months.

13 MS. SIRI: Of next year.

14 MS. LOW: Uh-huh.

15 MR. GIORGI: Will that be a fixed time frame or will
16 there be some further delay after that time?

17 MS. LOW: We're hoping that we will be complying on.

18 MR. GIORGI: It depends on comments we receive during
19 our comment period, necessary permits. There is always built-
20 in obstacles.

21 Okay. Before we close tonight, we'd like to remind you
22 that we do have the comment period, which continues to April
23 15th. If you have any further comments, please submit them.

24 The fact sheets contains Sonia's address and number as
25 well as mine should you wish to make any verbal comments or

1 send your written comments to us.

2 Also I know it's late, but there is a gold sheet of paper
3 over there with comments. We come to the Richmond area quite
4 frequently. We're always striving to present a better meeting
5 and we're also always trying to get the word out, just because
6 Jean's been to fifty of them, but we're always trying to get
7 the community out there, which is a very difficult thing to do.

8 If you have any insight into how we can improve our
9 meetings, I would be happy to receive them so we can further
10 serve the public.

11 So with that, thank you for coming in tonight, and we
12 hope we've answered some of your questions.

13 (Whereupon, the meeting concluded at 9:06 p.m.)
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1 STATE OF CALIFORNIA

2 COUNTY OF SAN MATEO

3 I, the undersigned, hereby certify that the witness
4 in the foregoing deposition was by me duly sworn to testify the
5 truth, the whole truth and nothing but the truth in the
6 within-entitled cause; that said deposition was taken at the
7 time and place therein stated; that the testimony of the said
8 witness was reported by me; that the foregoing is a full, true
9 and complete record of said testimony; and that the witness was
10 given an opportunity to read and correct said deposition and to
11 subscribe the same. Should the signature of the witness not be
12 affixed to the deposition, the witness shall not have availed
13 himself of the opportunity to sign or the signature has been
14 waived.

15 I further certify that I am not of counsel or
16 attorney for either or any of the parties in the foregoing
17 deposition and caption named, or in any way interested in the
18 outcome of the cause named in said action.

19
20 IN WITNESS WHEREOF, I have
21 hereunto set my hand this

22 21ST day of APRIL,

23 1993.

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